

MAY 11 2007

Appl. No. 10/707,422
Docket No. 139805/GEM-0091

REMARKS / ARGUMENTS

Status of Claims

Claims 1, 5-12, 16-20, 24-28 and 30 are pending in the application. Claims 20 and 26 stand rejected. Claims 1, 5-12, 16-19, 24-25, 27-28 and 30 are allowed. Applicant has canceled Claims 20 and 26, leaving only allowed Claims 1, 5-12, 16-19, 24-25, 27-28 and 30 for consideration upon entry of the present Amendment.

Applicant respectfully submits that the rejections under 35 U.S.C. §103(a), have been overcome, that no new matter has been entered, and that the application is in condition for allowance.

These amendments were not presented earlier because Applicant did not fully appreciate the nature of the Examiner's position until the Applicant was advised of the position by the final rejection, which introduced new references and new grounds for rejection. The claim amendments presented herein, which Applicant respectfully requests entry thereof, should require only a cursory review by the Examiner as they include only previously allowed claims.

Rejections Under 35 U.S.C. §103(a)

Claims 20 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gard et al. (U.S. Patent No. 5,131,021, hereinafter Gard) in view of Sasaki et al. (U.S. Patent No. 6,411,672, hereinafter Sasaki) and Ooi (U.S. Patent No. 6,014,420, hereinafter Ooi).

Applicant has canceled Claims 20 and 26 without prejudice, thereby causing this rejection to be moot.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of all rejections under 35 U.S.C. §103(a), which Applicant considers to be moot.

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Applicant has amended the claims for presentation in better form for consideration on appeal. The claim amendments should only require a cursory review by the Examiner as they only include language presented in earlier allowed claims.

In light of the foregoing remarks and amendments, Applicant respectfully submits that the proposed amendments and arguments comply with 37 C.F.R. §1.116 and should therefore be entered, and with their entry that the Examiner's rejections under 35 U.S.C. §103(a) have been overcome, and that the application is now in condition for allowance. Such action is therefore respectfully requested.

If a communication with Applicant's Attorneys would assist in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 07-0845.

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In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

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